



California Fair Political Practices Commission

March 1, 1988

J. Mark Atlas
Frost, Krup and Atlas
134 West Sycamore Street
Willows, CA 95988

Re: Your Request for Assistance
Our File No. I-88-043

Dear Mr. Atlas:

You have asked for advice concerning the conflict of interest code provisions of the Political Reform Act.^{1/}

You represent the Berry Creek Community Services District as well as several water districts and are interested in obtaining any information we may have to assist you in developing a conflict of interest code for the community services district.

The Berry Creek CSD is an agency located solely within Butte County. Since the agency is a single-county agency, the development of your code comes under the purview of the Butte County Board of Supervisors as your code reviewing body. You should contact that entity for specific guidance on the procedure to follow in adopting your code.

While we cannot describe the procedure to follow in adopting your code, we can assist you in developing the language for your code.

Section 87302 sets out the provisions required to be specifically contained in codes. For instance, it requires that a code state the times and manner that financial interests are to be disclosed and further specifies the circumstances under which disqualification should occur. The Commission has developed a regulation which sets out all of the provisions required by Section 87302. The regulation, known as the model code, may be incorporated by reference as the body of your code.

^{1/} Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

J. Mark Atlas
March 1, 1988
Page 2

If you incorporate our regulation into your code, all that remains is to develop your list of designated employees and their accompanying disclosure categories. The body of your code will always be up to date with the law. Should there be a legislative amendment which would affect the provisions of the body of the code, the Commission will amend the regulation to reflect the change. Since you would have incorporated the regulation as the body of your code, that portion of your code will always be up to date. The only amendments you will need to make in the future will be to your list of designated employees or to the disclosure categories themselves. I have enclosed a short memo which describes how to incorporate Regulation 18730 into your code.

To assist you in developing your disclosure categories, I have enclosed some conflict of interest codes for agencies structured similar to your community services district.

Hopefully, these materials will assist you in developing your code. If I can be of further assistance, please feel free to call me at (916) 322-5901.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeanette Turvill".

Jeanette Turvill
Legal Division
Legal Assistant

JET:da

Enclosure

88-043

LAW OFFICES
FROST, KRUP AND ATLAS

TELEPHONE (916) 934-5416

CHARLES H. FROST
LEONARD G. KRUP
J. MARK ATLAS,
LAW CORPORATION

PROFESSIONAL BUILDING
134 WEST SYCAMORE STREET
WILLOWS, CALIFORNIA 95988

January 19, 1988

Fair Political Practices Commission
Post Office Box 8087
Sacramento, CA 95804

Re: Berry Creek Community Services District

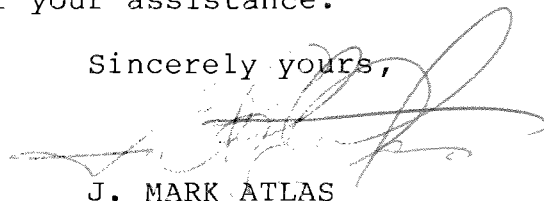
Gentlemen:

I have been retained as general counsel to the newly-formed Berry Creek Community Services District. I also represent a number of other water agencies of various kinds in this area.

It is of course incumbent on the Board of Directors that they adopt a Conflict of Interest Code, and so I would appreciate receiving from you any information you can provide to a new district such as this regarding the latest regulations of matters which should be included in the Code. For your information the District lies solely within Butte County.

Thank you in advance for your assistance.

Sincerely yours,



J. MARK ATLAS

JMA:kc
cc: Mr. Ben Elliott

88-043-9



California Fair Political Practices Commission

January 22, 1988

J. Mark Atlas
Frost, Krup and Atlas
Professional Building
134 West Sycamore Street
Willows, CA 95988

Re: 88-043

Dear Mr. Atlas:

Your letter requesting advice under the Political Reform Act was received on January 22, 1988 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact Jeanette Turvill, in the Legal Division, directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, we will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

Diane M. Griffiths
General Counsel

DMG:plh